

Defective Appeal Brief

The appeal brief filed on 5/12/2008 is still defective for the reasons set out in the previous notices of non-complaint. This appeal brief is still defective because:

1) Summary of the claims: each limitation of the independent claim must be mapped to the specification by page and number, and to the drawings by reference character. As an example, the summary claim 14 does not recite "microwave bursts" and "a volatile data memory), etc.; other limitation are missing as well. Therefore, to get this right, applicant should recite the entire independent claims (14, 34, 56, 72, and 78) after the heading of "SUMMARY OF CLAIMED SUBJECT MATTER"; and to map each independent claim to the specification. When mapping each limitation, applicant should insert in parenthesis the (page # lines n to m, and drawings in applicable).

For example:

Claim 14. (Previously presented)A level measuring device, for producing a level value representative of a level in a vessel **(page # lines m-n, figure K character 1)**, said level measuring device operating with microwave bursts **(page # lines m-n)**, comprising:

 a transceiver unit for generating a level-dependent intermediate-frequency signal by means of a transmit signal and a receive signal **(page # lines m-n, drawings)**, said transmit signal being generated from a burst sequence **(Page # lines m-n)**, and so forth, to the end of the claim.

Repeating the same procedure for all the independent claims (even if the same limitations are repeated).

2) The status of the claims section lists claims 79-80 as being rejected but they are canceled: the status of the claims should refer to the current status of the claims, which as not changed since the advisory sent on 7/18/2006. Therefore, the list of finally rejected claims should read: 14-21, 24-26, 28-41, 45-58, 61-63, 72, 74-78, and 81-82.

3) Claim appendix is incorrect: claim 82 is missing, and the cancelled claims (73, 79, and 80) are labeled as (previously presented).

4) Applicant filed two Appeal Briefs on 5/12/2008. The office does not know which one to consider. However, both appeal briefs have the above mentioned defects.

The Notice of Non-compliant Appeal Brief of 3/10/2008 set forth a one month time period for reply. That time period remains. Extensions of time are available (37 CFR 41.37(d))

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